

IN THE UNITED STATES DISTRICT COURT FOR EASTERN DISTRICT OF PENNSYLVANIA

TROY LEWALD,

Plaintiff,

vs.

PENNSYLVANIA DEPARTMENT OF  
CORRECTIONS, *et al.*,

Defendants.

CIVIL DIVISION

22-CV-4625

**MOTION TO DISMISS PLAINTIFF'S COMPLAINT**

AND NOW, comes Defendant, Courtney Cione, CRNP, by and through her attorneys, Baum O'Connor Cullen Chmiel, P.C., and files the following Motion to Dismiss Plaintiff's Complaint with prejudice for the reasons set forth more fully in the accompanying brief filed simultaneously with this Motion.

BAUM O'CONNOR CULLEN CHMIEL  
***Electronically Filed***

By: /s/ Cassidy L. Neal  
Cassidy L. Neal, Esquire  
PA I.D. 311979  
Counsel for Courtney Cione, CRNP,  
Defendant

912 Fort Duquesne Blvd  
Pittsburgh, PA 15222  
(412) 338-4750

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that I am this day serving a true and correct copy of the foregoing **MOTION TO DISMISS PLAINTIFF'S COMPLAINT** upon all parties, via CM/ECF and regular U.S. Mail, this 4<sup>th</sup> day of August, 2023.

Troy Lewald, Inmate #NS-1262  
Smart Communications/PA DOC  
SCI Phoenix  
P.O. Box 33028  
St. Petersburg, FL 33733  
***Pro Se Plaintiff***

BAUM O'CONNOR CULLEN CHMIEL  
***Electronically Filed***

By: /s/ Cassidy L. Neal  
Cassidy L. Neal, Esquire  
PA I.D. 311979  
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**ORDER OF COURT**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 2023, upon  
consideration of Defendant Courtney Cione, CRNP's Motion to Dismiss Plaintiff's Complaint,  
it is hereby ORDERED, ADJUDGED, and DECREED that said motion is GRANTED.

BY THE COURT:

\_\_\_\_\_/J.